

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TRINA CIRCLE,

3:17-cv-00313-YY

Plaintiff,

ORDER

v.

WESTERN CONFERENCE OF TEAMSTERS
PENSION TRUST,

Defendant.

BROWN, Judge.

Magistrate Judge Youlee Yim You issued Findings and Recommendation (#25) on August 13, 2017, in which she recommends the Court grant Defendant Western Conference of Teamsters Pension Trust's Motion (#8) for Partial Dismissal of Plaintiff's Amended Complaint and Motion to Strike Jury Demand. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v.*

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*).

Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Youlee Yim You's Findings and Recommendation (#25) and, therefore, **GRANTS** Defendant's Motion (#8) for Partial Dismissal of Plaintiff's Amended Complaint and Motion to Strike Jury Demand. Accordingly, the Court **DISMISSES with prejudice** Plaintiff's Second, Third, and Fourth Claims for failure to state a claim. The Court also **STRIKES** Plaintiff's request for a jury trial.

This matter is returned to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

DATED this 15th day of September, 2017.

/s/ Anna J. Brown

ANNA J. BROWN
United States Senior District Judge